

PATENT
SJO920030087US1
0037.0062

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Examiner: Not Yet Assigned
D.M. Cannon et al.)
Serial No.: Not Yet Assigned)
Filed: January 27, 2004) Art Unit: Not Yet Assigned
For: METHOD, SYSTEM, AND)
PROGRAM FOR STORING)
DATA FOR RETRIEVAL AND)
TRANSFER)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Dear Sirs:

In accordance with 37 CFR §§ 1.56, 1.97, and 1.98, enclosed please find Form PTO-1449 listing the attached references which might be deemed material to the examination of the above-identified application.

A. Non-English Language References

- Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- The specification incorporates comments on the relevancy of Non-English language references.
- Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

B. The information disclosure statement submitted herewith is being filed

- 1) within three months of the filing date of a national application other than a continued prosecution application under 1.53(d);
- 2) within three months of the date of entry into the national stage as set forth in 1.491 in an international application;
- 3) before the mailing date of a first Office Action on the merits; or
- 4) before the mailing date of a first Office Action after filing of a Request for Continued Examination under 1.114.

C. The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph B, but before the mailing date of a final action under 1.113, a Notice of Allowance under 1.311, or an action otherwise closing prosecution, and is accompanied by:

- 1) a Statement under 1.97(e); or
- 2) a fee of \$180 as set forth in 1.17(p).

D. The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph C, but before payment of the issue fee, and is accompanied by:

- 1) a Statement under 1.97(e); and
- 2) a fee of \$180 as set forth in 1.17(p).

STATEMENT UNDER 1.97(e)

I, the person signing below, certify

that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign

application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

If required under paragraph C or D *supra*, enclosed is Applicant's check in the amount of \$180 as set forth in 1.17(p). Please charge any insufficiency or credit any overpayment to Deposit Account No. 09-0466. A duplicate of this letter is enclosed for fee processing.

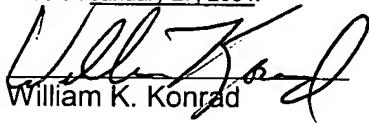
Respectfully submitted,



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Dated: January 27, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (label #EL821156795US) in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, Alexandria, VA 22313-1450 on January 27, 2004.



1/27/04
(Date)

Form 1449/PTO				<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	Not Yet Assigned
Page	1	of	1	Filing Date	January 27, 2004
				First Named Inventor	D.M. Cannon et al.
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	SJO920030087US1

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number- Kind Code (if known)			
		US-6,098,074	08-01-2000	Cannon et al.	
		US-6,223,224	04-24-2001	Bodin	
		US-6,442,601	08-27-2002	Gampper et al.	
		US-2002/0099691	07-25-2002	Lore et al.	
		US-2002/0165941	11-07-2002	Gahan et al.	
		US-2003/0065882	04-03-2003	Beeston et al.	
		US-			

FOREIGN PATENT DOCUMENTS					
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code- Number- Kind Code			
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T
		IBM Corporation, "Limited Replacement and Migration Controls", <i>IBM Technical Disclosure Bulletin</i> , Vol. 26, No. 3B, August 1983, pp. 1746-1747.			
		IBM Corporation, "Identification of Timeout Parameter for Switching Cartridge Disposition", <i>IBM Technical Disclosure Bulletin</i> , Vol. 35, No. 2, July 1992, pp. 85-91.			
		IBM Corporation, "Sort Process for Migration- Storage to Optical Versus Tape", <i>IBM Technical Disclosure Bulletin</i> , Vol. 36, No. 10, October 1993, pp. 367-370.			

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	